

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

U.S. Post Office and Courthouse
Office of the Clerk
101 Holmes Avenue, N.E.
Huntsville, Alabama 35801

GREER M. LYNCH
Clerk of Court

Telephone (256) 534-6495

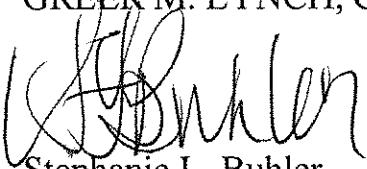
February 27, 2024

U.S. District Court Clerk
Southern District of Texas
Martin Luther King U.S. Post Office
and Courthouse
312 South Main Street, Room 406
Victoria, TX 77901-7901

RE: *United States of America v. David Mata*
ALND Case No. 5:24-mj-1028-HNJ
SDTX Case No. 2:23CR00102-001

Dear Clerk:

Please see the attached copies of Rule 5 documents for proceedings held in the Northern District of Alabama with regard to the above-referenced matter. Please contact me at (256)551-2530 should you need anything further.

GREER M. LYNCH, CLERK
By: 
Stephanie L. Buhler
Deputy Clerk

CLOSED

**U.S. District Court
Northern District of Alabama (Northeastern)
CRIMINAL DOCKET FOR CASE #: 5:24-mj-01028-HNJ All Defendants
*Internal Use Only***

Case title: USA v. Mata

Date Filed: 02/26/2024

Other court case number: 2:23CR00102-001 Southern District
of Texas Date Terminated: 02/27/2024

Assigned to: Magistrate Judge
Herman N Johnson, Jr

Defendant (1)

David Mata

TERMINATED: 02/27/2024

represented by **Alexandria Darby**

OFFICE OF THE FEDERAL PUBLIC
DEFENDER

NORTHERN DISTRICT OF ALABAMA

200 Clinton Avenue West, Suite 503

Huntsville, AL 35801

256-684-8700

Fax: 256-519-5948

Email: Alex_Darby@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Public Defender or Community
Defender Appointment*

Kevin L Butler

FEDERAL PUBLIC DEFENDER

Northern District of Alabama

505 20th Street North, Suite 1425

Birmingham, AL 35203

205-208-7170

Email: ALNFD_Note@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Disposition

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

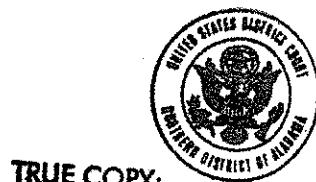
None

Disposition

Complaints

Disposition

18:3147.F



TRUE COPY:

By: KL Butler

Plaintiff**USA**

represented by **Prim F. Escalona, US Attorney**
US ATTORNEY'S OFFICE
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244-2001
Email: Caseview.ecf@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
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US Probation

UNITED STATES PROBATION OFFICE
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1800 5th Avenue North
Birmingham, AL 35203
205-716-2900
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LEAD ATTORNEY
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USM

UNITED STATES MARSHAL
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Russell E Penfield

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Date Filed	#	Docket Text
02/26/2024		Arrest (Rule 5) of David Mata (SHB,) Modified on 2/27/2024 (SHB,). (Entered: 02/27/2024)
02/26/2024	1	Warrant and Petition from SDTX as to David Mata (SHB,) (Entered: 02/27/2024)
02/26/2024		Minute Entry for proceedings held before Magistrate Judge Herman N Johnson, Jr; Initial Appearance in Rule 5(c)(3) Proceedings as to David Mata held on 2/26/2024; dft deemed eligible for court appointed counsel; Alex Darby appt and present for dft on behalf of FPD; Russell Penfield present for govt; USPO Worboys present; dft wvd identity hrg; charges and rights explained; dft requested preliminary and detention hrgs in charging district; dft ordered remanded to custody of USM for removal to SDTX; hrg adj. (Court Reporter None) (SHB,) (Entered: 02/27/2024)
02/27/2024	3	COMMITMENT TO ANOTHER DISTRICT as to David Mata. Defendant committed to Southern District of Texas. Signed by Magistrate Judge Herman N Johnson, Jr on 2/27/24. (SHB,) (Entered: 02/27/2024)

02/27/2024	4	ORDER OF REMOVAL to Another District – Southern District of Texas as to David Mata. Signed by Magistrate Judge Herman N Johnson, Jr on 2/27/24. (SHB,) (Entered: 02/27/2024)
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2024 Feb-27 PM 06:44
U.S. DISTRICT COURT
N.D. OF ALABAM

AO 442 (Rev. 11/11) Arrest Warrant

U.S. ATTORNEY'S OFFICE
RECEIVED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

CORPUS CHRISTI, TEXAS
SOUTHERN DISTRICT

United States of America

v.
David Mata

)
) Case No. 2:23CR00102-001
)
)
)
)
)

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) David Mata,

who is accused of an offense or violation based on the following document filed with the court:

Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

See attached petition.

Date: 11/09/2023

A M

Issuing officer's signature

Angel Mireles, Deputy Clerk

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

PROB 12C
(06/16)

U.S. MAIL SERVICE
RECEIVED

UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF TEXAS

2023 NOV -9 AM 11:35

CORPUS CHRISTI, TEXAS
SOUTHERN DISTRICT

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: David Mata Case Number: 2:23CR00102-001

Name of Sentencing Judge: The Honorable Nelva Gonzales Ramos

Date of Original Sentence: July 18, 2023

Original Offense: Transportation of an Undocumented Alien

Original Sentence: Time Served, followed by a 2-year term of supervised release.

Type of Supervision: Supervised Release Supervision Started: October 4, 2023

Assistant U.S. Attorney: John George Edward Marck Defense Attorney: Kristen D. Langford-Harris

EARLIER COURT ACTION

None.

PETITIONING THE COURT

To issue a warrant and set a Revocation Hearing to show cause why Supervised Release should not be revoked.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1 Failure to Report Change in Residence

On or about October 29, 2023, David Mata left his last known place of residence located at Downtown Rescue Mission, 1400 Evangel Drive, Huntsville Alabama, and failed to notify U.S. Probation Officer Matthew Worboys within 72 hours of his change in residence.

Details: On October 4, 2023, David Mata was released on bond with the Madison County Circuit Court and instructed to remain in Madison County pending the disposition of his state charge. Mr. Mata was instructed to live with his mother at her known residence in Huntsville, Alabama for the duration of his case. On October 9, 2023, David Mata reported that he had moved to the

Mata, David
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Downtown Rescue Mission Shelter located at 1400 Evangel Drive, Huntsville, Alabama, due to a tumultuous relationship with his mother. On October 13, 2013, Mr. Mata reported to the U.S. Probation Office where his conditions of supervision were reviewed and acknowledged. He reported on this same date that he was still residing at the Downtown Rescue Mission. On November 3, 2023, U.S. Probation Officer Matthew Worboys in the Northern District of Alabama attempted to conduct a home visit at the offender's residence located at Downtown Rescue Mission, 1400 Evangel Drive, Huntsville Alabama. During this attempted visit, it was discovered that Mr. Mata last stayed at this shelter on October 26, 2023, as verified by the facility security director. The facility had no information as to another address for him. Attempts to locate Mr. Mata in the community have been unsuccessful and his whereabouts are currently unknown.

2 Failure to Abide by Drug Treatment Program's Rules and Regulations

Details: On October 13, 2023, David Mata reported to the U.S. Probation Office in Huntsville, Alabama where he was instructed to participate for drug testing as required through random color-code in the Northern District of Alabama. David Mata violated the rules and regulations of the color-code drug testing by failing to submit random urine specimens on October 18, 2023, and October 30, 2023.

U.S. Probation Officer Recommendation:

- The term of supervision should be
 - revoked.
 - extended for ____ years, for a total of ____ years.
- To modify the conditions of supervision as follows:

I declare under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

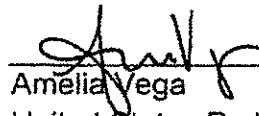
Approved:

Respectfully submitted,



Arnoldo Perez Jr.
Supervising
United States Probation Officer

By:



Amelia Vega
United States Probation Officer
November 9, 2023

Mata, David
Docket Number: 2:23CR00102-001
Page 3

THE COURT ORDERS:

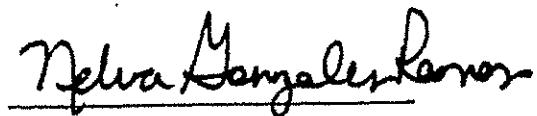
No Action

The Issuance of a Warrant, and no bond.

The Issuance of a Warrant, and a bond of \$_____ cash / surety with supervision as directed by the Probation Officer as a condition of said bond.

The Issuance of a Summons.

Other:


Nelva Gonzales Ramos
Nelva Gonzales Ramos
U. S. District Judge

November 9, 2023

Date

UNITED STATES DISTRICT COURT

for the

Northern District of Alabama

United States of America

v.

)

)

)

Case No. 5:24-mj-1028-HNJ

)

David Mata

Defendant

)

Charging District's

)

Case No. 2:23CR00102-001

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the Southern District of Texas,

(if applicable) division. The defendant may need an interpreter for this language:

The defendant: will retain an attorney. is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

DONE, this 27th day of February, 2024.

HERMAN N. JOHNSON, JR.
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

UNITED STATES OF AMERICA }
 }
v. } ALND Case No. 5:24-mj-1028-HNJ
DAVID MATA } SDTX Case No. 2:23cr00102-001

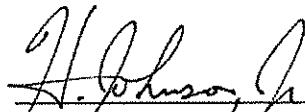
ORDER OF REMOVAL

On February 26, 2024, an initial appearance was held before the undersigned magistrate judge for Defendant David Mata. Defendant was arrested in the Northern District of Alabama on an arrest warrant pursuant to a violation of supervised release issued in the United States District Court for the Southern District of Texas.

Pursuant to the provisions of Rule 5(c)(3) Fed.R.Crim.P., the defendant was presented to the United States Magistrate Judge and advised of his constitutional rights. Ms. Alex Darby of the Federal Public Defender's Office was appointed as counsel for the defendant. The defendant waived his right to an identity hearing and requested any further hearing(s) be held in the charging district.

It is therefore ORDERED that the defendant be held to answer the charges pending in the United States District Court for the Southern District of Texas, and that he be REMOVED FORTHWITH to that district.

DONE, this 27th day of February, 2024.



HERMAN N. JOHNSON, JR.
UNITED STATES MAGISTRATE JUDGE